

Compliance Planning for FY2022

~ a guide for trial court funding units ~

Presented by the Michigan Indigent Defense Commission's Staff

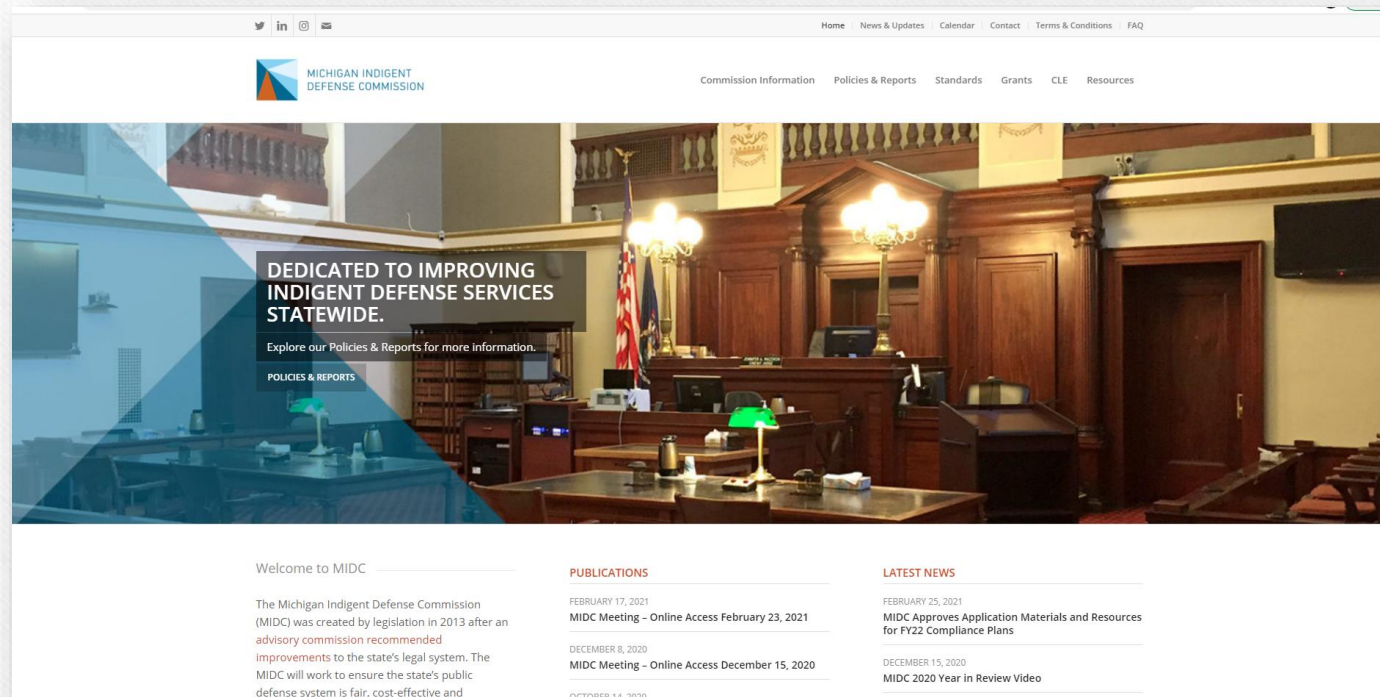
Spring 2021

What's new in FY22?

- MIDC Standard 5
- Local Share increase 1.2%
- EGrAMS platform
- April 27, 2021 deadline
- Commission meetings in June 15, 2021 **and July 20, 2021**

Resources

Website



<https://michiganidc.gov/>

Materials to Assist With Planning

MIDC FY22 COMPLIANCE PLAN

Submitter Information

Funding Unit(s)/System Name: _____

Submitted By (include name, title, email address and phone number): _____

Date: _____

Signature: _____

Please identify the following points of contact (include name, title, email address and phone number):

Authorizing official who will sign the contract: _____

Mailing address for authorizing signatory: _____

Primary point of contact for implementation and reporting: _____

Financial point of contact: _____

Please identify any other person in the system who should receive communications from MIDC about compliance planning and reporting, including name, title, and email address: _____

Submit all documents via EGRaMS. Questions or concerns, please email your Regional Manager. The FY22 compliance plan and cost analysis is due no later than April 27, 2022.

Page 1

1	Indigent Defense System Cost Analysis							
2	Grant Year October 1, 2021 - September 2022							
3								
4	Funding Unit Name(s)	DATE SUBMITTED						
5								
6	Personnel	Position	Calculation hours and rate	Total	State Grant	Local Share	Other Funding Sources	Total
7			hours and rate					
8								
9								
10								
11								
12								
13								
14	Category Summary			0.00	0.00	0.00	0.00	0.00
15	Personnel justification - List all positions to be funded by the grant budget (state grant/local share). Please * highlight all positions that are new personnel requests for FY2021 and provide justification for need.							
16								
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23								
24								
25								
26								
27								
28								
29	Fringe Benefits	Percentage	Amount	State Grant	Local Share	Sources		Total
30								
31								
32								
33								
34								
35								
36								
37								

GRANT MANUAL



MICHIGAN INDIGENT
DEFENSE COMMISSION

<https://michiganidc.gov/grants/>

MIDC Standards

✓ Approved

1. Training and education
2. Initial interviews
3. Expert and investigator resources
4. Counsel at first appearance
5. Independence from the Judiciary

➤ Pending Approval

6. Caseloads for defenders
7. Qualification of assigned counsel
8. Payments to attorneys
- * Indigency screening and contribution

<https://michiganidc.gov/standards/>

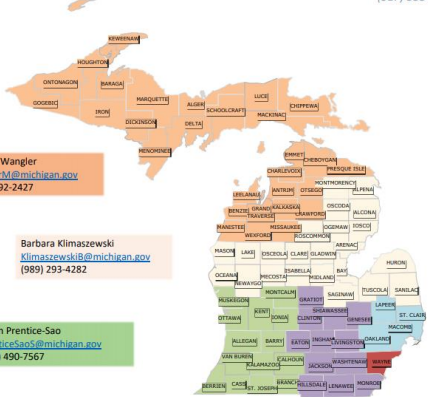
Answers to FAQs



Regional Managers

Michigan Indigent Defense Commission
Regional Manager Assignments

Contact: Marla McCowan
Director of Training, Outreach & Support
McCowanM@michigan.gov
(517) 388-6702



Melissa Wangler
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(231) 492-2427

Barbara Klimaszewski
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Susan Prentice-Sao
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(616) 490-7567

Kristen Staley
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(517) 582-2427

Kelly McDonnell
McDonnellK@michigan.gov
(313) 319-4431

Nicole Smithson
SmithsonN@michigan.gov
(586) 638-6546

<https://michiganidc.gov/michigan-indigent-defense-commission/midc-staff/>

Training



Michigan Indigent Defense Commission

EGrAMS Training Opportunities

Please review the available slots below and click on the button to sign up. **You can sign up for multiple sessions**, and if none of these times or dates work for you please contact your regional manager for additional options.

Location: [Zoom Meeting](#) 📺

Created by:  Marla McCowan ✉



15 live trainings covering 5 topics with over 300 sign-up slots including evening and weekend sessions:

- Setting up your user profile
- New to EGrAMS – enter plan
- Advanced EGrAMS – enter plan
- Correcting revisions requested by MIDC staff
- Small Group Support entering plan and cost analysis

<https://www.signupgenius.com/go/10C0C49AEAD2DA3F5C16-egrams>

Compliance Plan

MIDC FY22 COMPLIANCE PLAN

Submitter Information

Funding Unit(s)/System Name:

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Submit all documents via EGrAMS. Questions or concerns, please email your Regional Manager
The FY22 compliance plan and cost analysis is due no later than April 27, 2021

Page 1



MICHIGAN INDIGENT
DEFENSE COMMISSION

EGrAMS Application



Michigan.gov

Home ⓘ

Date : Mar-17-21

Home

About EGrAMS

EGrAMS Login

Validate Workstation

Register your Agency

Create User Profile

Project Director Request

Grant Opportunity Notification

Search Grants

Current Grants

Compliance Plans

The **Michigan Indigent Defense Commission** (MIDC) was created in 2013 pursuant to the MIDC Act, MCL §780.981, to implement recommended improvements to the state's adult criminal legal system consistent with the safeguards of the U.S. Constitution. The MIDC sets minimum standards for indigent defense and provides grants to local funding units to facilitate compliance with approved standards. The MIDC's objective is to ensure the state's public defense system is fair, cost-effective and constitutional while simultaneously protecting public safety and accountability.

EGrAMS is an Electronic Grants Administration & Management System that will be used to submit annual compliance plans and cost analyses and for MIDC to administer the grants process. All plan submitted will be reviewed for approval by the Michigan Indigent Defense Commission, under the MIDC Act. The System is password protected and only authorized users can access the system.

To access MIDC E-Grants, you must have a valid User ID. To apply to become an authorized user, you first need to create a User profile (see left side bar). Once created, your request will be reviewed, and if accepted, you will be notified by email.

The options in the left pane of the home page do not require a valid User ID. Move the mouse over the options to view additional details for each option. For additional information, click on the book icon at the top of the page.

If you have any problem accessing the application, please contact the **MI E-Grants Helpdesk** at 517-335-3359 or MIDC-EGrAMS-Help@michiganidc.gov. Please include your full name and complete telephone number (with area code) when you contact the MIDC E-Grants Helpdesk.

To access MIDC's training on EGrAMS, [click here](#).

Michigan.gov Home | EGrAMS Home | Contact EGrAMS | Contact Information | State Web Sites | Policies and Reports | Minutes and Meetings | Resources | Grants

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Standard 1

Training of Attorneys

4. Number of attorneys who accept adult criminal defense assignments as of October 1, 2021
5. Number of attorneys with less than 2 years of Michigan criminal defense experience as of October 1, 2021

In the cost analysis, please include a list of names and P#s of all the attorneys who accept adult criminal defense assignments as of October 1, 2021. In the cost analysis, please include a list of names and P#s of all the attorneys who accept adult criminal defense assignments as of October 1, 2021.

6. What is your plan for training attorneys with less than 2 years of Michigan criminal defense experience as of October 1, 2021?

7. Please describe the training program for attorneys tracked for renewal of license.

Application : Compliance Plan and Cost Analysis Renewal - FY 2022

Applicant

Additional Info

Standard 1

Standard 2

Standard 3

Standard 4

✓ Spell

Save

Save +

Validate

Errors

✓ Done

PDF

Print

Standard 1 (Page 1)

Training of Attorneys

4. *Number of attorneys who accept adult criminal defense assignments as of October 1, 2021

5. Number of attorneys with less than 2 years of Michigan criminal defense experience as of October 1, 2021

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6. What is your plan for training attorneys with less than 2 years of Michigan criminal defense experience as of October 1, 2021?

0 characters

Q B I | 1= 2= 3= 4= | 5= 6= 7= 8= | 9= 10=

Delivery System Model

1. What type of indigent defense delivery system do you have currently? (indicate all that apply):

- Public Defender Office (county employees)
- Public Defender Office (non-profit/vendor model)
- Managed Assigned Counsel System

Name of MAC Attorney Manager and P#:

- Assigned Counsel System
- Contract Defender System

- Regionalized system or coordination with other trial court funding units



If you are unsure about your type of indigent defense delivery system, more information can be found in MIDC's report entitled *Delivery System Reform Models* (2016), posted here: <https://michiganidc.gov/resources>. Questions can also be directed to your MIDC Regional Manager.

2. Are you proposing to change your type of indigent defense delivery system for next year? Please respond Yes or No.

6. What is your plan for training attorneys with less than 2 years of Michigan criminal defense experience?

7. Please describe your system's training plan, including how compliance will be tracked for reporting requirements:

8. If an attorney does not complete the required training, how will the system address the noncompliance?

9. Any changes in your *funding needs* from the prior year for Standard 1? Please respond Yes or No.



If yes, please describe in the cost analysis.

Standard 2

Initial Client Interviews



10. The MIDC Standards now require the selection and assignments of attorneys to be done independently from the judiciary. How and when are defense attorneys notified of new assignments?

11. How are you verifying that in-custody attorney client interviews occur within

13. How are you compensating attorneys for conducting initial interviews? Please include whether you intend to compensate attorneys differently for in-custody and out-of-custody interviews.

Confidential Meeting Spaces

15. How many confidential meeting spaces are in the jail?
16. What is the TOTAL amount of confidential meeting spaces in the courthouse?

17. How many confidential meeting spaces in the courthouse are for *in-custody clients*? Please describe these spaces.

18. How many confidential meeting spaces in the courthouse are for *out-of-custody clients*? Please describe these spaces.

Standard 3

Experts and Investigators

21. The MIDC Standards now require approval of expert and investigative assistance to be independent from the judiciary. Describe the process of how attorneys request expert witness assistance for their indigent clients:

25. How are attorney requests (whether approved or denied) for experts and investigators tracked by the system? Please include approved and denied requests.

24. Any change from the prior year's process to request investigative assistance?
Please respond Yes or No.

Standard 4

Counsel at First Appearance and Other Critical Stages

27. The MIDC Standards now require the selection and assignments of attorneys to be done independently from the judiciary. How are you providing counsel at first appearance and all arraignments? Please provide detail for circuit and district court coverage.



28. How are you providing counsel at all other critical stages? Please provide details:

29. How are you compensating attorneys for Standard 4? Please provide detail for compensating counsel at first appearance and compensating counsel at all other critical stages.

30. Do you have a prison in your County? How is counsel provided to people charged with crimes while incarcerated in the prison? Do you seek reimbursement for the cost of counsel from the Michigan Department of Corrections?



Unexpended Funds from the FY 19 Grant	\$0.00	
State Grant Payments received within the FY20 grant year	\$0.00	1st Advancement
	\$0.00	2nd Advancement
	\$0.00	3rd Advancement
Total	\$0.00	
Other Revenue		
Interest Earned on Deposited Funds	\$0.00	
Additional Local Contributions	\$0.00	
* MDOC Reimbursements	\$0.00	
Total	\$0.00	
*Reimbursement by the state Department of Corrections for defense of prisoner cases per grant rules, is considered program income and is reported as part of the unexpended balance.		
Report of Unexpended State Grant Funds as of September 30, 2020		
	\$0.00	

31. Are there or will there be any misdemeanor cases where your court accepts pleas without the defendant appearing before a magistrate or a judge? For example, pleas by mail, over the counter pleas, pleas online, etc. Please answer Yes or No.

32. Describe how counsel is offered to a defendant making a plea who does not appear before a magistrate or judge:

33. Any change from the prior year's attorney compensation for Standard 4? Please respond Yes or No.

If yes, please describe in the cost analysis.

34. Any change from the prior year's *funding needs* for Standard 4? Please respond Yes or No. **If yes, please describe in the cost analysis.**

Standard 5

MIDC FY22 COMPLIANCE PLAN

Standard 5

The MIDC Standards now require independence from the court including the selection and assignment of attorneys, attorney compensation and approval of requests for expert and investigative assistance.

35. How will attorneys be selected to provide adult indigent criminal defense services in your indigent defense system? Please describe any eligibility requirements needed by the attorneys as well as the selection process:

36. Will the selection process be facilitated by a committee of stakeholders? If so, please list the titles of participating officials, agencies, or departments as appropriate.

37. Who will approve an attorney's eligibility to receive assigned cases?

38. Who will assign work to the attorneys in the indigent defense system? Please include the person's name, title, employer and/or supervisor.

39. Who will review and approve attorney billing?

40. Who will approve requests for expert and investigative assistance?

41. Who will review and approve expert and investigative billing?

Frequently Asked Questions about Standard 5

In an effort to assist systems with planning and implementation of MIDC Standard 5, which requires that public defense operate independently from the judiciary, the MIDC offers the following answers to frequently asked questions about compliance with the standard. The approved standard contains the requirements by the Commission and is the primary resource for planning. The standard should be referred to for full context of excerpted materials in this resource. Please see the MIDC's website at <https://michiganidc.gov/standards/> for more information.

1. Who can appoint counsel?

The local indigent defense funding unit must utilize a licensed attorney in good standing with the State Bar of Michigan to act as an appointing authority and oversee all duties surrounding the appointment of a criminal defense attorney. This includes duties such as case assignment, approval of attorney compensation, establishing and reviewing attorney qualifications, and approval of services necessary for providing effective assistance of defense counsel. The funding unit may authorize non-attorney staff to perform any of the above duties if done under the direction of the appointing authority. Standard 5.A.

The judiciary and employees reporting to the judiciary¹ shall not serve as an appointing authority nor manage or oversee the administration of the local indigent defense system. Standard 5.A. Similarly, the judiciary or employees reporting to the judiciary shall not be employed or contracted by an independent appointing attorney to assist with management or administration of the indigent defense system.

¹ This includes all state and local judges, magistrates, retired judges who may still act as a visiting judge, court administrators, and any other employee of the court.

ss to resolve any potential conflicts between the person(s) assigning casework?

ss to resolve any potential conflicts between the person(s) or reviewing/approving billing?

ss to resolve denied or partially denied requests for assistance?

Personnel

46. Do you have any ancillary staff? Please answer Yes or No.

If yes, what standard(s) or reporting needs do they meet?

If yes, how are you tracking time for ancillary staff?

47. For existing ancillary staff, are there any personnel positions/hours reduced or increased from the prior year? Please answer Yes or No.

If yes, please explain in the cost analysis.

48. Are any additional ancillary staff positions or hours requested for the next year? Please answer Yes or No.

If yes, please explain in the cost analysis.

GRANT MANUAL



MICHIGAN INDIGENT
DEFENSE COMMISSION

Reimbursement Costs for Creating Plan

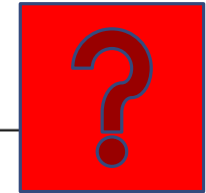
An indigent criminal defense system may submit to the MIDC an estimate of the cost of developing a plan and cost analysis for implementing the plan under MCL 780.993(2). Please attach documentation of planning time for FY22, if seeking reimbursement under this provision.

Are you requesting reimbursement of planning costs? ☐ Yes | ☐ No

If yes, do you have receipts showing that non-funding unit employees have been paid?


☐ Yes | ☐ No

What is the amount you are seeking in reimbursement? \$ _____



Attorneys Providing Services

Attorneys Accepting Assign	
Name of Attorney	P#



MICHIGAN INDIGENT
DEFENSE COMMISSION

EGrAMS Application

Miscellaneous
Time

Agency
Sample
Program
Compliance Plan and Cost Analysis Renewal - FY 202
Stage-APP/W

Quarterly
Reporting
in FY21

List of the attorneys providing s
Local Share
Cost Analysis

Name of Attorney	Bar Number	Title
Laluna-Schaeffer, Gennel	65387	
Grow, Daniel	48628	
Smith, Tricia	79899	
Hogue, Nicholas	81291	
Engram, Jason	60316	
Fisher, Lanny	69199	
LaFond, Jessica	78272	
Struwin, Jack	21107	
Lyerla, Brad	83326	
Johnson, Edwin	74038	
Jancha Sr., Paul	23738	
Johnson, Peter	15539	
Fuller, Rodney	47324	
Wojtowicz, Ryan	73233	
Workman, Justin	80296	

Cost Analysis



MICHIGAN INDIGENT
DEFENSE COMMISSION

EGrAMS Application



Source of Funds ⓘ 📖

Timeout : 15 mins

Agency

Sample

Program

Compliance Plan and Cost Analysis Renewal - FY 2022

Compliance Plan and Cost Analysis Renewal - FY 2022

Stage-GMR/P



Source of Funds

+ Applicant

+ Additional Information

+ Standard 1 - Training and Educa

+ Standard 2 - Initial Interview

+ Standard 3 - Investigation and E

+ Standard 4 - Counsel at First Ap

+ Standard 5 - Attorney Assignme

+ Miscellaneous

TOTAL EXPENDITURES

516,656.25

516,656.25

0.00

Description

Total

State Grant

Local Share

Source of Funds

State Grant Contribution

294,477.72

294,477.72

0.00

Local Share Contribution

222,178.53

0.00

222,178.53

Program Revenue

0.00

0.00

0.00

Indigent Defense System Cost Analysis

Grant Year October 1, 2021 - September 2022

Funding Unit Name(s)

Personnel

Position

Category Summary

Personnel Jusification - List all positions to be funded by the justification for need.

Fringe Benefits

Percentage

application budget

attorney roster

Indigent Defense System Cost Analysis

Grant Year October 1, 2021 - September 2022

Funding Unit Name(s)

DATE SUBMITTED:

Personnel

Position

Calculation
hours and rate

Total

State Grant

Local Share

Other Funding
Sources

Total

Category Summary

0.00

0.00

0.00

0.00

0.00

Personnel Jusification - List all positions to be funded by the grant budget (state grant/local share). Please * highlight all positions that are new personnel requests for FY2021 and provide justification for need.

Fringe Benefits

Percentage

Amount

State Grant

Local Share

Sources

Total

application budget

Nonprofit PD Office Budget

attorney roster



MICHIGAN INDIGENT
DEFENSE COMMISSION

EGrAMS Application



Michigan.gov

Cost

Date : Mar-17-21

Agency
Applicat

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Cost Analysis

Vendor Cost Analysis

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Show Documents

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Type : Expenditure

Notes File

Totals : 0.00 0.00

Timing

test.egrams-mi.com says

Submission deadline date 04/27/2021 11:59:00 PM

OK



MICHIGAN INDIGENT
DEFENSE COMMISSION

April 2021

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Set up User Profile in EGrAMS				1	2	3
4	5	6	7	8	9	10
Attend trainings live/watch recordings						
11	12	13	14	15	16	17
Make revisions (if any) requested by staff						
18	19	20 MIDC meeting	21	22	23	24
			Need help with EGrAMS? Sign up for small group support/trouble shooting sessions			
25	26	27 Deadline for FY22 Plans and Costs	28	29	30	



Michigan Indigent Defense Commission

EGrAMS Training Opportunities

Please review the available slots below and click on the button to sign up. **You can sign up for multiple sessions**, and if none of these times or dates work for you please contact your regional manager for additional options.

Location: **Zoom Meeting** 🖥️

Created by: **MM** Marla McCowan ✉️

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- Correcting revisions requested by MIDC staff
- Small Group Support entering plan and cost analysis

<https://www.signupgenius.com/go/10C0C49AEAD2DA3F5C16-egrams>

Decisions and Communication

Contact us anytime

LARA-MIDC-Info@Michigan.gov

McCowanM@Michigan.gov

517-388-6702